Human Rights in Urban Search and Rescue

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The purpose of this thesis was to study human rights in urban search and rescue (USAR) operations especially within Europe. In order to understand the concept of human rights in relation to USAR; the starting point was to establish the most relevant human rights concerning the operations by analysing the international laws and regulations.

Main research method used for this thesis was literature review to find out the state of human rights regarding USAR operations and what kind of frameworks and guidelines there are. Secondary was the review of actual scenarios and interviews, in order to establish how the former guidelines are realized in practice.

The results of this study demonstrate that human rights especially in immediate USAR operations lack proper research and observation. Majority of the guidelines and frameworks discovered do consider human rights under crisis circumstances such as natural disasters or conflicts, but they do so on a longer timescale addressing issues such as providing adequate temporary housing, nourishment and security.

Interviews and accident reports indicate that while the state of human rights in Finland seems to be in order, it is not something that is specifically considered in the field of professionals.

Keywords: Human rights, Evacuation, USAR

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Ihmisoikeudet urbaanissa etsintä ja pelastustyössä

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Tämän opinnäytetyön tarkoituksena on tutkia ihmisoikeuksia koskien urbaaneja etsintä- ja pelastusoperaatioita (USAR) erityisesti Euroopassa. Ymmärtääksemme ihmisoikeuksien suhdetta USAR-operaatioissa tutkiminen aloitettiin määrittämällä olennaisimmat ihmisoikeudet analysoimalla kansainvälisiä säädöksiä.

Päätutkimusmenetelmänä työssä toimi kirjallisuuskatsaus, jonka avulla selvitettiin olennaisimmat pelastustyöhön liittyvät ihmisoikeuksia koskevat ohjeet ja viitekehykset. Lisäksi tutkimuksen kohteena olivat raportit aiemmin tapahtuneista onnettomuuksista sekä alan ammattilaisille kohdistettu kysely, jolla pyrittiin selvittämään, kuinka ohjeistukset toteutuvat käytännössä.

Tutkimustulokset osoittavat, että etenkin USAR-operaatioiden välittömässä yhteydessä ihmisoikeuksia ei ole tutkittu ja tarkasteltu riittävästi. Suuri osa tutkituista ohjeistuksista ja viitekehyksistä ottaa huomioon ihmisoikeudet kriisitilanteissa, kuten luonnonkatastrofeissa ja siviilikriiseissä, mutta lähinnä pidemmällä aikavälillä huomioiden asioita kuten tilapäismajoitus, ravinnon saanti sekä turvallisuus.

Haastattelut ja onnettomuustutkintaraportit osoittavat, että vaikka ihmisoikeudet näyttäisivät Suomessa olevan hyvässä tilassa, niitä ei ole alan ammattilaisten parissa erityisesti huomioitu.

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1   Introduction

This thesis is a part of the INACHUS-project, which aims to achieve a significant time reduction related to Urban Search and Rescue (USAR) phase by providing wide-area situational awareness solutions for improved detection and localization of the trapped victims assisted by simulation tools for predicting structural failures and a holistic decision support mechanism incorporating operational procedures and resources of relevant actors.

The project required information how human rights are related to the Urban Search and Rescue operations and whether there would be any obstacles to utilizing the new technologies. It was agreed upon with the project contact person that the focus on the human rights would be on the immediate temporal vicinity of the USAR operation itself. The research began with a review of relevant literature and guidelines to determine the human rights related to said operations.

1.1   Demand for the research

As mentioned above the INACHUS-project required information on the human rights in USAR operations to find out whether there would be possible ethical considerations regarding the new implemented technologies.

After reviewing the relevant literature the subject the present results made it evident that phenomenon is not studied extensively. Most of the present material related to human rights were rather considering the long term impact to human rights than the immediate rescue operation. In addition rescue related sources did not uncover anything human rights related. These findings suggest that the subject might have not been considered to be of great importance earlier.

1.2   Research questions

The objective of this thesis was to map out the ethical and societal issues through the point-of-view of human rights in USAR operations, mostly in the European scale. The questions that arose were:

1. What are the most relevant human rights regarding the USAR operations?
2. How are the USAR operations regulated?
3. How do the regulations work in real life situations and how the human rights are realized?
4. Are there causes for concern regarding human rights when considering the proposed technological solutions at hand?

One major issue was also the relevance of human rights and ethical issues during USAR operations. How important are those issues when the immediate rescue operation is taking place and actions must be taken swiftly? How do the rescue operators view those issues? Is there enough related know-how in the field or are the training and knowledge lacking?

2   Definitions

This chapter defines the terms of urban search and rescue as well as human rights as it is imperative that the reader is aware of their meaning and purpose.

Definition: Urban search and rescue

Urban search and rescue (USAR) includes locating, rescuing and treatment of victims from collapsed buildings or other trapped space resulting from disasters such as earthquakes and hurricanes or terrorist attacks. As the term implies urban search and rescue operations take place in urban environments.

Due to the fact that the majority of human rights and ethical issues arise before or after the disaster those parts are also included within thesis on some level as examples of what kind of issues there are. However, in this context those issues are not comprehensively due to the project's focus on providing tools for the immediate operations rather than the long-term dilemmas.

The before the disaster section includes training of personal responsible of USAR operations and informing local population on how to act during the crisis. The after the disaster part includes humanitarian aid, evacuation of vulnerable population out of the crisis zone and other parts of disaster relief.

Definition: Human rights

"Human rights are norms that help to protect all people everywhere from severe political, legal and social abuses." (Nickel, 2014). Simple examples of human rights would be right to life, freedom of movement, freedom of slavery and freedom of association, conscience and thought. They can be seen as fundamental rights belonging to every human being regardless of their background.

There is however a paradox regarding human rights - sometimes even the most basic rights of may have to be intervened in some way. For example: if a person commits a crime, he might

then be sentenced to prison – this violates the person's freedom of movement, but is usually considered just by the society that crimes should be punished. Most of the human rights are determined in the Universal Declaration of Human Rights, given by the United Nations in 1948.

The relevance of certain human rights has to be evaluated when considering technology that might possibly intervene them. This study attempts to establish the most relevant human rights issues regarding USAR operations and determine if there are potential violations arising from the technology related to the INACHUS-project.

3 Research methods

In order to find out the answers to the above mentioned questions, the research began with reviewing the most relevant literature sources agreed upon with the project team. It became obvious that reviewing existing literature and guidelines would not provide answers to every question requiring answers. Therefore the research was expanded for studying reports of actual incidents reported by the Finnish Safety Investigation Authority.

In addition to the reports it was decided that more information of the practices and working methods of professionals operating in the real life situations would be required as well as their input with possible impact to human rights regarding USAR operations and possible applied technologies.

3.1 Literature review

The literature review was conducted bearing in mind the research questions which arose after brainstorming the subject and meeting our contact from the INACHUS project and following questions were decided:

1. What are the most relevant human rights regarding the USAR operations?
2. How are the USAR operations regulated?
3. How do the regulations work in real life situations and how the human rights are realized?
4. Are there causes for concern regarding human rights when considering the proposed technological solutions at hand?

Besides research questions main criterias for the material used were:

1. Source

a. Due to the nature of the research and the EU perspective it was decided that the main source of material was to be organizations related to EU or working for EU.

b. It was also decided that the material offered by the Red Cross and the UN was to be used as they are both respected global actors which should have the experience from possible issues raised within the research questions.

2. Scope

a. As slight review of the subject revealed, availability of the material was limited. Therfore all publications from the relevant actors were deemed usable for study if they had something to offer for the research.

3. Critical point of view

a. Many publications were found that handled solely USAR or human rights in crisis management when considering a larger time spectrum. However the focus was to be on human rights on the immediate USAR operations, therefore sources that either ignored human rights or considered a larger time scope were left for smaller attention.

The literature review was started in November 2014, mainly gathering potential material from organisations and such which met our criterias. From start of 2015 until March 2015 review was done daily, amount of books (broad guidelines mainly) reviewed during this time was 28 and only 4 of these made it to this study. Reviewing the sources indicates that human rights are not especially considered by people participating in the USAR operations or those conducting the guidelines.

A brief description of the chosen organisations whose guidelines or resources were used as the main literary sources can be found below. The descriptions also highlight the reason why the organisation and guideline in question were chosen.

3.1.1   United Nations

United Nations Office for the Coordination of Humanitarian Affairs (OCHA) and more specifically the subgroup International Search and Rescue Advisory Group (INSARAG) was determined as the most relevant and informative source for research. INSARAG has provided comprehensive guidelines as framework in the USAR-field, which were renewed in February 2015 and thus the source material was also very up-to-date.

3.1.2   The Inter-Agency Standing Committee

The Inter-Agency Standing Committee (IASC) is a key mechanism for humanitarian assistance including both the UN and non-UN humanitarian partners. Humanitarian assistance offered by the IASC is aimed for people in need due to natural disasters, conflict related emergencies, global food crises and pandemics. While some of those crises are not relevant to the topic of this thesis, IASC is still major player in the field and offers guidelines for natural disasters from the human rights point of view and therefore it is highly relevant organisation for this thesis.

3.1.3   The Red Cross and Red Crescent Movement

The Red Cross and Red Crescent Movement is a globally significant participant in the humanitarian work and provide volunteers for rescue and disaster relief operations all-over the world. Therefore it was deemed important to find out their operating principle and guidelines they are working with. Following documents of the Red Cross Movement were reviewed and analysed: "The Code of Conduct for the International Red Cross and Red Crescent Movement and Non- Governmental Organisations (NGOs) in Disaster Relief", "The Civil Protection Guidance for National Societies and Federation Secretariat relations with European Union actors", "Principles and rules for Red Cross and Red Crescent Humanitarian assistance", and the "Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance" (IDRL guidelines). It was noted that from the rescue work point-of-view the essential principle of the documents was quite similar – promoting the humanitarian aspect and guiding how the co-operation between the different actors should be conducted. Due to its impact in legislation and thus being a directing guideline worldwide the IDRL guidelines were chosen to be included in this work.

3.1.4   European Union and actors within

The European and Mediterranean major hazards agreement (EUR-OPA) is more limited organisation compared to those above, but is more related to the topic of this thesis. EUR-OPA is aimed mainly for prevention, protection against risks and better preparation for major natural or technological disasters. As both natural and technological disasters are few of the main causes for crises including urban search and rescue operations this organisation was deemed necessary to be reviewed for this work.

Literature review also used material gathered from Workshops & Meetings held by EUR-OPA. Main reasoning for the use of this material was to show exactly how the decisions are made and what kind of progress there is going on in the human rights field concerning the disaster

relief or urban search and rescue in specific. It was also decided that it would be enlightening to use sources that had been already quoted by the other material used in the literature review for aims of this study.

3.2 Quantitative research of incidents in Finland

As the literature sources did not reveal sufficient information about the state of human rights in USAR operations on the practical level it was thus decided to review real life incident reports in order to find out whether there would be indications of possible issues regarding human rights. For this purpose the incident reports of the Finnish Safety Investigation Authority were selected as they are an accessible neutral source and the reports are usually very detailed and accurate. Altogether 129 reports were reviewed to determine whether the human rights are considered specifically and if there would be indications to our research questions.

3.3 Qualitative research: Interviews

In order to establish why the state of human rights is how it is at the moment, a more in-depth insight was still required to the subject. Therefore it was decided that a good source of information would be interviewing the professionals operating in everyday environment as well as those who provide the education and training for future rescue workers.

How do the human rights work in the real life situations and how do they apply to the project at hand? Are there causes for concern when considering new technological solutions? Interview questionnaires were sent out to each rescue department in the capital city region in Finland and the Emergency Services College of Finland. The questions and answers can be found later in the document.

4 Human rights in USAR

Following section defines the most relevant human rights issues concerning Urban Search and Rescue operations and possible use of technology. It is vital to remember that the local level legal framework is in practice the first and foremost defining element effecting the on-site rescue operations and same international agreements may not apply in every country. The differences between countries may emerge from cultural differences and general state of development – how effective the authority and judicial systems are. A whole new variety of challenges appear if the operation is conducted in a conflict area.

A second key element regarding human rights is the consideration of the members of the so-ciety who are not able to take care of themselves as efficiently. Elderly people and people with disabilities may require more assistance and their needs should be sufficiently noted. When human rights and legal issues are considered in major disaster situations on a larger timescale there is an extensive amount of factors that come into play. For instance local legal frameworks and security situation define where the refugees may be housed and do they need enhanced protection, how the reconstruction effort precedes, local employment laws regard-ing rescue workers and so forth. In this context we are focusing on the immediate nearness of the rescue operations due to vast variety of factors involved on the entirety of the major dis-aster process. Further bibliographical recommendations regarding a wider scale can be found later on.

4.1   International Human Rights Law

While the local law is the first and foremost defining factor "The Vienna Convention on the Law of Treaties (1969) provides that states parties must carry out their treaty obligations in good faith and cannot invoke provisions of domestic law to justify a failure to do so. In prac-tice, this requires that states ensure that their national laws and policies reflect their treaty responsibilities." (Harper, 2009)

Customary international law is a set of unwritten norms that are applicable to all nations. They are fundamental norms that can be universally recognized for rights of every human be-ing such as right to life, freedom from torture, freedom from discrimination on the grounds of race, gender or ethnic origin, freedom from slavery, and freedom from genocide. It is a vital instrument especially in conflict situations where existing treaties and laws are lacking for the protection of the victims. (Harper, 2009)

There is also a variety of non-binding international instruments, such as United Nations (UN) declarations and resolutions as well as guidelines such as Inter-Agency Standing Committee (IASC) Operational Guidelines on Human Rights and Natural Disasters and Interna-tional Search and Rescue Advisory Group (INSARAG) Guidelines. A non-binding instrument that can be juxtaposed to similarly binding as customary law is the Universal Declaration of Human Rights (UDHR).

Following list of human rights consists of several different instruments such as the UDHR, the 1966 International Covenant on Civil and Political Rights (ICCPR) and International Covenant on Economic, Social and Cultural Rights, 2006 IASC Operational Guidelines on Human Rights and Natural Disasters and the 1998 Guiding Principles on Internal Displacement. Entries are primarily quoted or adapted from the International Laws and Standard for Natural Disaster

Situations. The focus is on the most relevant Human Rights concerning the Urban Search and Rescue (USAR) environment. Other sources are indicated when used.

- The Right to Life
  - Everyone has the right to life, liberty and security of person. According to the Article 3 of UDHR

- The Right to a Remedy
  - "The UDHR guarantees everyone right to remedy by competent national tribunals for violations of law. In urban disasters collection of evidence and keeping record may prove vital in post-disaster remediation." (Harper, 2009)

- The Right to Protection against Cruel, Inhumane or Degrading Treatment
  - "The ICCPR and UDHR protect all people against torture and cruel, inhumane or degrading treatment or punishment. There are no exceptions even in times of disaster." (Harper, 2009)

- Protection Against Arbitrary Arrest and Detention
  - "The ICCPR and UDHR give protection from arbitrary arrest or detention. In practice, this means that a person can only be deprived of liberty in accordance with rules and procedures established by law. When absolutely necessary a person should not be held longer than the required under the circumstance." (Harper, 2009)

- The Right to Equality and Freedom from Discrimination
  - "Every person should be treated equally disregarding their race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. When possible specific attention should paid to protection of women from exploitation as they are generally more vulnerable and more likely targets in post-disaster situations." (Harper, 2009)

- Freedom from Servitude and other Forms of Violence and Abuse
  - "No one must be forced to work against their will according to the international law, even in the crisis situations." (Harper, 2009)

- Freedom of Movement
  - UDHR Article 13 states that: "Everyone has the right to freedom of movement and residence within the borders of each state. Everyone has the right to leave any country, including his own, and to return to his country.

- o IASC Operational Guidelines A1.4 opens up the USAR context in following manner: "Persons unwilling to leave should not be evacuated against their will unless such forced evacuation:

  (a) Is provided for by law;

  (b) Is absolutely necessary under the circumstances to respond to a serious and imminent threat to their life or health, and less intrusive measures would be insufficient to avert that threat;

  (c) Is, to the extent possible, carried out after the persons concerned have been informed and consulted.

- The Right to Privacy
  - o Perhaps one of the most relevant rights regarding the INACHUS project, due to possible invasion of privacy which the tools may cause. It is imperative that sensitive information is protected in a proper manner. (Harper, 2009)

- The Right to Freedom of Conscience, Thought and Expression
  - o The ICCPR and UDHR protect the right of all persons to hold opinions without interference and to seek, receive and impart information. In disaster situations, these provisions protect the right of an individual to express opinions about the disaster, including dissatisfaction with relief efforts and measures taken to prevent the emergency. The ICCPR notes, however, that these rights may be subject to restrictions for the protection of national security, public order or public health. In certain cases, therefore, information that might cause public hysteria, endanger lives or place individuals at risk may need to be restricted. (Harper, 2009)

- The Right to Freedom of Religion
  - o The ICCPR and UDHR protect the right of all persons to freedom of religion. This includes the right to change one's religion or beliefs and to manifest their religious beliefs in practice, worship or teaching. This should be particularly noted if emergency food supplies are being provided to victims and temporary living quarters are arranged. (Harper, 2009)

- The Right to Adequate Living Standards & Health Care
  - o "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control." (Harper, 2009)

- The Right to Humanitarian Assistance
    - The IASC guidelines highlight the need for equality in aid distribution and for granting priority access to vulnerable groups including minorities, single headed households, older people and persons with disabilities. In particular, it is noted that the loss or absence of personal documentation should not be used to deny access to humanitarian assistance. (Harper, 2009)

- The Full Realization of Human Rights of Persons with Disabilities
    - "The *Convention on the Rights of Persons with Disabilities* (CRPD) 2006 obliges States Parties to undertake to ensure and promote the full realization of human rights and fundamental freedoms for all persons with disabilities without discrimination." (Harper, 2009)
    - Emergencies - The CRPD holds that States Parties shall take all necessary measures to ensure the protection and safety of persons with disabilities in situations of risk, including in situations of natural disaster. In the aftermath of a disaster, persons with disabilities are at high risk and should be afforded increased protection in terms of their access to humanitarian aid and services. Measures might include assisted evacuation, steps to prevent family separation or priority access to emergency housing. (Harper, 2009)

- A Child's Right to be Cared for by its Parents
    - States Parties will ensure that a child shall not be separated from his or her parents against their will law and procedures, that such separation is necessary for the best interests of the child. (Harper, 2009)

- Child labour
    - States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development. (Harper, 2009)

5   USAR Protocols and Guidelines

Following section consists of a review of some of the most significant guidelines and field manuals in the international level from entities such as the Inter-Agency Standing Commit-

tees, International Red Cross and Crescent Movement and International Search and Rescue Advisory Group (INSARAG)

5.1 International Red Cross and Crescent

The International Red Cross and Red Crescent Movement is a humanitarian movement operating worldwide. It consists of the International Committee of the Red Cross (ICRC) and International Federation of Red Cross and Crescent Societies (IFRC) as well as 189 National societies acting on national level with over 13 million active volunteers worldwide.

The ICRC website states: "The ICRC is an impartial, neutral and independent organisation whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance."

While the ICRC's mission is related to the armed conflicts, the IFRC and National societies focus on natural and man-made disaster in non-conflict situations around the world. "The strategic aims of the IFRC are:
- Save lives, protect livelihoods, and strengthen recovery from disasters and crises.
- Enable healthy and safe living.
- Promote social inclusion and a culture of non-violence and peace."

"National Societies support the public authorities in their own countries as independent auxiliaries to the government in the humanitarian field. Their local knowledge and expertise, access to communities, and infrastructure enable the Movement to get the right kind of help where it's needed, fast."

Guidelines for the National societies in EU-countries are defined in "The Civil Protection Guidance for National Societies and Federation Secretariat relations with European Union actors" by the IFRC. The guidelines encourage the implementation of the IDRL guidelines as stated below.

5.2 IDRL Guidelines

"Recent experience has shown that even the best prepared governments may need international support when a major disaster strikes. Unfortunately, few governments have adequate systems in place to facilitate and regulate outside relief.

After years of intensive research and consultations on problems and best practice in the regulation of international disaster relief, the IFRC spearheaded negotiations to develop a new set of international guidelines to help governments strengthen their domestic laws and policies. On 30 November 2007, the state parties to the Geneva Conventions and the International Red Cross Red Crescent Movement unanimously adopted the *"Guidelines for the domestic facilitation and regulation of international disaster relief and initial recovery assistance"* (also known as the "IDRL Guidelines"*) at the 30th International Conference of the Movement. In 2008, the UN General Assembly adopted three resolutions (Res. 63/139,63/141, and 63/137) encouraging states to make use of them."

"The IDRL Guidelines are meant to assist governments to become better prepared for the common legal problems in international response operations. Using the Guidelines, governments can avoid needless delays in the dissemination of humanitarian relief while at the same time ensuring better coordination and quality of the assistance provided." According to the IFRC website.

So far European countries that have implemented legislation based on the IDRL are: Finland (Pelastuslaki (Rescue Act), 379/2011), The Netherlands (Handboek Inkomende Buitenlandse Bijstand (Manual for incoming Foreign Assistance), Landelijk Operationeel Coördinatie Centrum (LOCC, National Operations Centre), Norway (Forskrift om utlendingers adgang til riket og deres opphold her (utlendingsforskriften) and Bosnia & Herzegovina as procedural instructions (Instructions on Interdepartmental Coordination on the Occasion of Receiving, Sending and Transiting of International Assistance for Protection and Rescue Purposes).

The IDRL guidelines provide instructions on how the responsibility should be divided and how the co-operation between local authorities and auxiliary support should be conducted. Core Responsibilities part of the guidelines define the responsibilities of the Affected states and Assisting Actors in following manner:

Responsibilities of Affected States:

- Affected States have the primary responsibility to ensure disaster risk reduction, relief and recovery assistance in their territory. National Red Cross and Red Crescent Societies, as auxiliaries to the public authorities in the humanitarian field, and domestic civil society actors play a key supporting role at the domestic level.

- If an affected State determines that a disaster situation exceeds national coping capacities, it should seek international and/or regional assistance to address the needs of affected persons.

- Affected States have the sovereign right to coordinate, regulate and monitor, disaster relief and recovery assistance provided by assisting actors on their territory, consistent with international law.

Responsibilities of Assisting Actors:

- Assisting actors and their personnel should abide by the laws of the affected State and applicable international law, coordinate with domestic authorities, and respect the human dignity of disaster-affected persons at all times.

- Assisting actors should ensure that their disaster relief and initial recovery assistance is provided in accordance with the principles of humanity, neutrality and impartiality, and in particular:
  - Aid priorities are calculated on the basis of need alone;
  - Provided without any adverse distinction (such as in regards to nationality, race, ethnicity, religious beliefs, class, gender, disability, age and political opinions) to disaster-affected persons;
  - Provided without seeking to further a particular political or religious standpoint, intervene in the internal affairs of the affected State, or obtain commercial gain from charitable assistance;
  - Not used as a means to gather sensitive information of a political, economic or military nature that is irrelevant to disaster relief or initial recovery assistance.

- To the greatest extent practicable, their disaster relief and initial recovery assistance should also be:
  - Responsive to the special needs, if any, of women and particularly vulnerable groups, which may include children, displaced persons, the elderly, persons with disabilities, and persons living with HIV and other debilitating illnesses;
  - Adequate for the needs of affected persons and consistent with any applicable international standards of quality;
  - Coordinated with other relevant domestic and assisting actors;
  - Provided and conducted in a manner that is sensitive to cultural, social and religious customs and traditions;
  - Carried out with adequate involvement of affected persons, including women, youth and the elderly, in their design, implementation, monitoring and evaluation;
  - Provided by competent and adequately trained personnel;
  - Commensurate with their organisational capacities;
  - Building upon and conducted in a manner that strengthens local disaster risk reduction, relief and recovery capacities and reduces future vulnerabilities to disasters;
  - Carried out so as to minimize negative impacts on the local community, economy, job markets, development objectives and the environment; and

o   Provided in a transparent manner, sharing appropriate information on activities and funding."

The guidelines also proceed to define the use of resources and as well as legal frameworks and instructions how goods and equipment should be transported across borders. However the key principles for rescue operations can be found in the responsibilities of the Affected State and Assisting Actors.

5.3   INSARAG

The International Search and Rescue Advisory Group (INSARAG) found in 1991 within the framework of existing humanitarian coordination within the United Nations (UN). To this end the group's secretariat falls within the Field Coordination Support Section (FCSS) of the Emergency Services Branch (ESB) of the Office for the Coordination of Humanitarian Affairs (OCHA) in Geneva.

The INSARAG's primary purpose is to facilitate coordination between the various international USAR teams who make themselves available for deployment to countries experiencing devastating events of structural collapse due primarily to earthquakes. The group achieves such coordination through facilitating opportunities for communication between these groups ahead of such events. These meetings of teams have resulted in many practical agreements between them that have streamlined working together during actual disasters.

Structure of INSARAG:

INSARAG is composed of a Steering Group, three Regional Groups, and the Secretariat, as well as the USAR Team Leaders Meeting, and the Working Groups (see Figure 1). The decision-making process is described in Figure 2. This structure provides the framework for decision-making and associated processes as approved by the Steering Group in 2013.
This structure ensures that INSARAG's aims can be achieved at a regional level, whilst ensuring full ownership and that objectives are in line with best practices as defined and agreed by the global network.
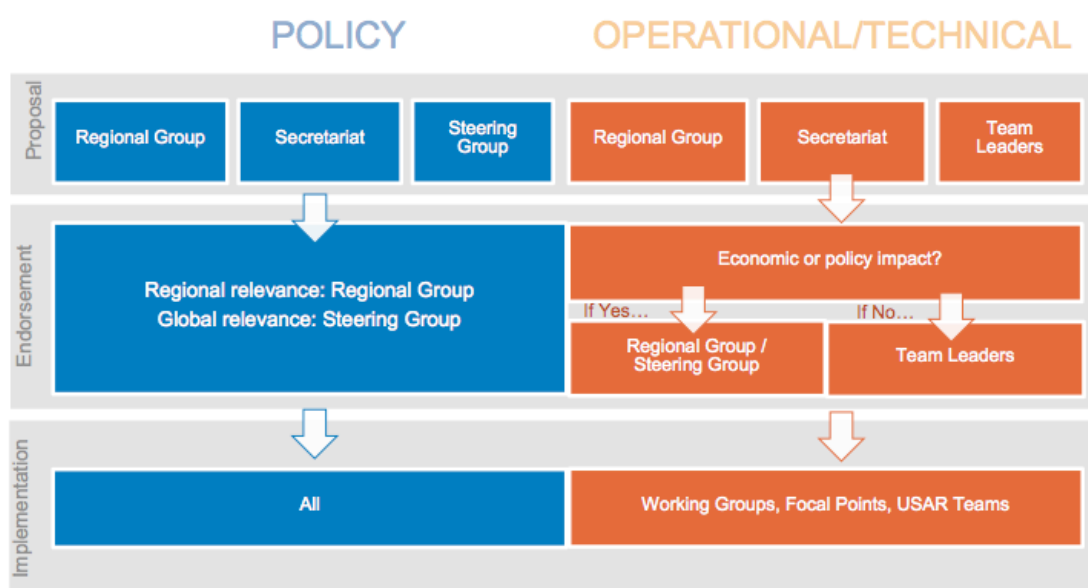
Figure 1: INSARAG Organisational Structure

Figure 2: INSARAG Decision-making Process

The Regional Groups meet on annual basis to strengthen disaster preparedness and USAR response. The Regional Groups are also responsible for implementing the policies from the Steering Group and providing information back to it.

5.3.1   INSARAG Guidelines

INSARAG has published new set of guidelines in 2015, divided in three volumes; I – Policy, II – Preparedness and Response (divided in into three manuals; A: Capacity Building, B: Operations, C: INSARAG External Classification and Reclassification) and III – Operational Fieldguide. These guidelines define a comprehensive framework for USAR operations and international co-operation. The instructions for the international co-operation described in Volume I are largely similar to IDRL guidelines. For example both guidelines highlight the primary responsibility of the affected nation, but encourage for requesting international assistance while remaining the mainly responsible and coordinating party in the operation.

Due to the limited space the focus is set on the human rights related issues across the volumes, but as a whole they are highly recommended guidelines for anyone working in the related field.

In manual A of the volume II where the guidelines are given to building the USAR capacity it is pointed out that according to the statistics 60% of deaths in confined spaces involve "untrained and/or ill-equipped rescuers", thus placing the human rights of the victims and the rescuers themselves at risk.

The ethical considerations regarding international USAR operations are pointed out in Manual B:
"Ethical Considerations for USAR Teams
- The conduct of deployed USAR team members is a primary concern to INSARAG, the assisting and affected countries, and the local officials of the affected country.
- USAR teams should always aim to be perceived as representatives of a well organised, highly trained group of specialists who have been assembled to help communities in need of their specialist assistance. At the conclusion of a mission, USAR teams should have ensured their performance has been positive, and they will be remembered for the outstanding way they conducted themselves in the work environment and socially.
- Ethics considerations include human rights, legal, moral and cultural issues and concern the relationship between USAR team members and the community of the affected country.
- All members of an INSARAG USAR team are ambassadors of their team, their country and represent the wider INSARAG community. Any violation of principles or behaviour unbecoming by team members will be viewed as unprofessional. Any inappropriate behaviour may discredit the good work of the USAR team and will reflect poorly on the entire team's performance, their home country as well as the wider INSARAG community.
- At no time during a mission should USAR team members take advantage of or exploit any situation or opportunity, and it is the responsibility of all team members to conduct themselves in a professional manner at all times.
- USAR teams that deploy international must be self-sufficient so as to ensure they are at no time a burden to the already overwhelmed country they are trying to assist.

INSARAG operates in accordance with the Humanitarian Principles, which form the core of humanitarian action

Sensitive Issues to Consider:
- The value that the local community attaches to life
- Cultural awareness including race, religion and nationality

- Wearing of sunglasses during conversations may be deemed to be inappropriate
- Communication barriers due to language differences
- Differences in work ethics and values
- Different local apparel
- Local customs with regard to food and manners
- Local law enforcement practices
- Local policy on weapons
- Local living conditions
- Local driving habits and customs
- Local policy on the use of different medications
- Use of alcohol and illegal drugs
- Handling of sensitive information
- Use of search dogs
- Care and handling of patients and/or the deceased
- Dress code or standards
- Gender restrictions
- Recreational restrictions
- Local communication restrictions and accepted use
- Taking of and showing pictures of victims or structures
- Collecting of souvenirs (building parts etc.)
- Defacing property such as occurs with the use of the structural marking system
- Access into restricted areas (Military, religious, etc.)
- Moral standards
- Consideration for other teams' capabilities and operating practices
- Use of gratuities to promote cooperation
- Political issues
- Any actions or behaviour that may aggravate stressful situations
- Smoking indiscriminately"

After reviewing all the volumes of the guidelines as well as the earlier 2012 edition no other immediate ties to human rights related issues were found.

5.4   Inter-Agency Standing Committee

The Inter-Agency Standing Committee is a major player in the disaster relief field and humanitarian assistance it was also one of the few relevant sources to use in research for our subject.

The Inter-Agency Standing Committee (IASC) is a committee including international organisations working to provide humanitarian assistance to people in need as result of natural disaster, conflict-related emergencies, global food crises and pandemics. The decision to establish IASC was given by the UN General Assembly resolution 46/182 in December 1991, committee itself started to function in June 1992.

The overall objective of the IASC is to improve delivery of humanitarian assistance, including the protection of the rights of affected people. The IASC also observed six key principles while doing so.

Primary Objectives:
- To develop and agree on system-wide humanitarian policies
- To allocate responsibilities amongst agencies in humanitarian programmes
- To develop and agree on a common ethical framework for all humanitarian activities
- To advocate common humanitarian principles to parties outside the IASC
- To advocate for full respect of rights of the individual in accordance with the letter and spirit of relevant bodies of law
- To identify and address areas where gaps in mandates or lack of operational capacity exists
- To resolve disputes or disagreements about and among humanitarian agencies on system-wide humanitarian issues.

Key Principles:
- Respect for Mandates
  - That decision of the IASC will not compromise organisations with respect to their mandates
- Ownership
  - That all organisations have an equal ownership of the Committee and its subsidiary bodies
- Overall objective
  - That the ultimate objective is to support effective humanitarian action
- Relevance to field operations
  - That members recognise the criticality of ensuring relevance to field operations and of input by field operations
- Subsidiarity
  - That decisions will be taken at the most appropriate level as agreed by IASC Principals
- Impartiality of the Secretariat

o That the IASC will be serviced by a Secretariat that does not represent the interest of any one organisation.

Priorities of the IASC vary by the year, for example priorities for year 2014-2015 were:

- Accountability to Affected Populations, including Protection from Sexual Exploitation and Abuse
- Humanitarian Financing
- Preparedness and Resilience
- Revitalizing Principled Humanitarian Action
- Protection in Humanitarian Crises

5.4.1 Members of the IASC

The IASC is made by both full members and standing invitees which are mostly non-UN organisations.

Full members:

- Food and Agriculture Organisation (FAO)
- United Nations Development Programme (UNDP)
- United Nations Population Fund (UNFPA)
- United Nations Human Settlements Programme (UNHABITAT)
- United Nations High Commissioner for Refugees (UNHCR)
- United Nations Children's Funds (UNICEF)
- United Nations Office for Coordination of Humanitarian Affairs (OCHA)
- World Food Programme (WFP)
- World Health Organisation (WHO)

IASC Standing Invitees:

- International Committee of the Red Cross (ICRC)
- International Council of Voluntary Agencies (ICVA)
- International Federation of Red Cross and Red Crescent Societies (IFRC)
- American Council for Voluntary International Action (InterAction)
- International Organisation for Migration (IOM)
- Office of the High Commissioner for Human Rights (OHCHR)
- Office of the Special Representative of the Secretary General of the Human Rights of Internally Displaced Persons (RSG on Human Rights of IDPs)
- Steering Committee for Humanitarian Response (SCHR)
- World Bank (WB)

5.4.2   Structure of the IASC

Structure of the IASC can be split to three parts.

1.   IASC Principals

IASC Principals is executive level of the IASC. IASC Principals is chaired by the ERC (The Under-Secretary-General and Emergency Relief Coordinator, OCHA). Principals meet two times a year and also when urgent matter rises. Responsibilities of the IASC Principals include such as making strategic and policy decisions which have system-wide implications, bringing issues to the attention of the Secretary-General and Security Council through the ERC and designating Humanitarian Coordinators and selecting coordination arrangements.

2.   IASC Working Group

IASC Working Group (IASC WG) is made by senior representatives of the organisations and it is chaired by the Assistant Secretary-General for Humanitarian Affairs and Deputy Emergency Relief Coordinator of OCHA. IASC WG meets once a year for a meeting to review the work of the Task Teams and the Reference Groups, IASC WG meets also when necessary due to the urgent matters. Responsibilities of the IASC WG are such as making proposals to the IASC on strategic issues, establishing both the Task teams and Reference groups and overseeing/monitoring them.

3.   IASC Subsidiary bodies

Subsidiary bodies of the IASC are split in to three groups which are "Task Teams", "Reference Groups" and "Sub-Working Groups"

•   Task Teams:

Task Teams are task-oriented teams established by the IASC WG's to work towards the outcome of given priorities. Each Task Team is co-chaired by two IASC organisations, in ideal cases from UN and one from non-UN organisation. Tasks given to the teams can be such as development of standards, common tools and guidelines, piloting inter-agency initiatives in the field or organisation of training on new policies.

•   Reference Groups:

Reference Groups are voluntary communities of practice affiliated to, but not directly over-seen by the IASC. These groups are composed of technical experts from the IASC organisa-tions and are built to exchange knowledge about topics that are cross-cutting issues or remain relevant to the IASC even though they are not current priority. Reference Groups are free to organise their structure and leadership by themselves. They are also able to bring their topics to IASC WG's through their sponsor or WG member(s). Priorities of Reference Groups are such as Gender and Humanitarian Action, Meeting Humanitarian Challenges in Urban Areas, Mental Health and Psychosocial Support in Emergency Settings and Needs Assessment.

- Sub-Working Groups:

Sub-Working Groups are Working Groups established to strengthen and promote the topic giv-en. These Working Groups are:
- Consolidated Appeals Process
- Gender in Humanitarian Action
- Preparedness
- Cluster Approach
- Humanitarian Financing
- Leadership and Humanitarian Coordination

5.4.3   IASC Operational Guidelines

This chapter will include both pilot version and "final" version IASC Operational guidelines released first in 2008 March and in January 2011. The main goal of these "Operational Guide-lines on Human Rights and Natural Disasters" was to promote and facilitate a human rights based approach to disaster relief. Guidelines given in both versions were meant to be short and easy to read.

The IASC adopted these Operational Guidelines in June 2006, but the pilot version of the doc-ument was drafted as late as March 2008.

5.4.4   Pilot Version, 2008

"Human Rights and natural disasters operational guidelines and field manual on Human Rights Protection in Situations of Natural Disasters" was a document in its pilot version con-sisting both Guidelines and "Manual" concerning human rights in disaster relief released by "Inter-Agency Standing Committee" in March 2008. Document stated already in its foreword that it is a pilot manual and testing in the field will show how useful it is and how it will evolve, based upon needs and requests from the field.

While the pilot document had little to offer in terms of urban search and rescue in specific and also lacks any remarks or comments about use of any relevant technology from INACHUS point of view, it still covers some areas which can be applied in the urban search and rescue operations such as evacuations and documentation. The document also covers the relevant human rights and general principles which are already mentioned earlier in the thesis.

Slight review of the document will focus mainly on guidelines as operational steps given in the document are not-so-relevant in human rights point of view or not specific enough for use of this document. Only chapter that was reviewed will focus on only relevant action concerning urban search and rescue was the "Evacuations and other-life-saving measures". Rest of the document is mainly done in the disaster relief point of view and while the input it provides to urban search and rescue operations is limited, it does contain information about disaster relief and stages within it from human rights point of view.

5.4.5   Evacuations and other life-saving measures

This chapter and guidelines within the pilot version did put great emphasis upon freedom of movement and liberty of individual from human rights point of view. It also gave a guideline concerning persons not co-operating with the authorities in very serious situations.

"Evacuations should be carried out in a manner that fully respects the right to life, dignity, liberty and security of all those affected, in particular members of vulnerable groups. Measures should be taken to safeguard homes and common assets left behind. Evacuated persons should be registered and their evacuation monitored" (Brookings-Bern Project on Internal Displacement, 2008)

 "Unless it is necessary for the protection of affected persons against very serious and imminent threats to their lives, their physical integrity or health, evacuations against their will, or the prohibitions of their return, should not be supported by organisations providing protection and assistance to persons affected by natural disasters, even if they have been ordered by the competent authorities. Such organisations should not become involved in involuntary evacuations in any manner" (Brookings-Bern Project on Internal Displacement, 2008)

5.4.6   Second version, 2011

The second version of the IASC guidelines was released in January 2011. There had been few major disasters in between the release of the pilot version and the second version of the guidelines, such as the Haiti earthquake in 2010 and therefore it was expected that the feed-

back and experiences from field-testing the guidelines would have created some changes in the document.

Purpose and the goals of these guidelines did not change during the years, but the structure of the document did to some level and more detailed guidelines were given for some scenarios, mainly for those which still were not relevant in urban search and rescue operations. One major change was to include "Preparedness measures" for each guideline.

For the sake of comparison the guideline concerning "forced evacuations" was phrased differently and included this time possibility that forced evacuation could be provided by the law.

- "Persons unwilling to leave should not be evacuated against their will unless such forced evacuation:
  - Is provided for by law;
  - Is absolutely necessary under the circumstances to respond to a serious and imminent threat to their life or health, and less intrusive measures would be insufficient to avert that threat; and
  - Is, to the extent possible, carried out after the persons concerned have been informed and consulted." (Brookings-Bern Project on Internal Displacement, 2011)

And in case of this guideline "preparedness measures" did include measures such as:

- Adoption of legislation allowing for and circumscribing the conditions for evacuations
- Technical assessments of the degree of risk and the possibility of less intrusive measures in disaster prone areas
- Public awareness-raising of circumstances that may require forced evacuation
- Information/consultation on how and when forced evacuations will be implemented
- Consultation with the potentially affected persons on possible obstacles to voluntary evacuation, and inclusion of identified needs in the contingency planning (Brookings-Bern Project on Internal Displacement, 2011)

As the above example shows the 2011 version of the document is way more mature compared the former one and "preparedness measures" given within the document might actually make carrying out "forced evacuations" easier for both rescue personnel and the victims. Also measures and the guidelines show that focus is on the human rights perspective.

Newer version of the document did also offer one new guideline that could still be applied in urban search and rescue field:

- Persons who leave or are evacuated should be supported to stay as close to their places of habitual residence as the security/safety situation allows.
    - o Amongst others the following activities can be considered:
        - ▪ Identifying and prioritizing suitable nearby evacuation sites; and
        - ▪ Actively searching for host families in the vicinity.
- *Preparedness measures:*
    - o Preparation for the reception of evacuated persons and their protection according to the Guiding Principles on Internal Displacement; and
    - o Identification of host families as well as preparation of possible remuneration schemes for hosting. (Brookings-Bern Project on Internal Displacement, 2011)

While this example is mainly made for the disaster relief part of the operations it can still be applied to urban search and rescue part to a limited level.

Rest of the document focus still on the disaster relief and while not relevant for the study it clearly shows that progress is made, but there is still work to be done, especially from the urban search and rescue point of view.

5.5   EUR-OPA

European and Mediterranean major hazards agreement is a platform created for co-operation in the field of natural and technological disasters between Europe and the South of the Mediterranean. As the title of organisation indicates, member countries of EUR-OPA are mainly countries having shorelines in the Mediterranean Sea, but include also landlocked countries within the Baltics and countries without shoreline in the Mediterranean Sea such as Azerbaijan.

Main objectives of EUR-OPA are to reinforce and promote co-operation between the Member States in a multi-disciplinary context to ensure better prevention, protection against risks and better preparation in the event of major natural or technological disasters.
Even though main objectives do not cover anything human right related past committee meetings show that some ethical issues are discussed such as people with disabilities and last two meeting will be studied in their own chapters.

Third chapter will be about workshop kept by the Council of Europe and other organisations, while it was not hold specifically by EUR-OPA it is used as an ethical "guideline" by such as SGL-EU which is Second Generation Locator for USAR operations.

Final chapter about EUR-OPA will be about guidelines made by EUR-OPA by request of Council of Europe.

5.5.1   64th meeting of EUR-OPA

64th meeting of committee's permanent correspondents was kept in Paris, October 2013. While meeting had broad selection of issues discussed first day of the meeting had special session focussed on people with disabilities. Information discussed is not found, but there are few documents that still offer information relevant to the topic of the thesis.

5.5.2   Guidelines for assisting People with Disabilities

The "Guidelines for assisting People with Disabilities during Emergencies, Crises and Disasters" by David Alexander and Silvio Sagramola is brief and meant to include all the phases of crisis management: disaster risk reduction, alert, emergency action and recovery.

In case of emergency action guideline states:

- On the basis of detailed knowledge of the people with disabilities who are likely to be present in the local area, detailed studies should be made of how each individual will perceive danger or receive an alert. In order to ensure that it is effective, the process of sending out an alarm should be studied in relation to the cognitive and sensorial capacities of each person to be alerted, or the needs of his or her carers. (Alexander et al. 2014)

- Emergency responders and other carers must be required to maintain a correct, professional and non-discriminatory attitude to people with disabilities at all times. (Alexander et al. 2014)

The guideline is made in context that planning should be done on personal level rather than using disabled people as a group. The guideline also points out that any emergency processes should not discriminate against people with disabilities, but should ensure that their needs are also taken care of.

Rest of the document offered by EUR-OPA from 64th meeting rehearse statements above and keeps the same policy concerning disabled people.

5.5.3   65th Meeting of EUR-OPA

65th meeting of the committee's permanent correspondents was kept in Paris, November 2014. While the structure of the meeting was similar to the 64th it also included conclusions from the last (and previous) years. During the conclusions David Alexander recalled that 15% - 20% of the population can be considered to be disabled on some level and therefore important part of the total population might be lacking specific adequate measures in the disaster management. The phenomenon is not specific to Europe only and this should be considered as a challenge rather than as a problem. Taking possible diversity of disabilities in to account and making detailed prior planning should be necessary to tackle this problem as it is impossible to improvise when the disaster happens. The conclusion also emphasises that each person should be considered as an individual rather than using disabled people as a group during the planning phase.

5.5.4   Athens Workshop 2009, Human Rights in Disasters

"Workshop on human rights in disasters: Search and rescue operations disasters especially for vulnerable people" was two day long workshop organised by "Council of Europe" and government of Greece (General Secretariat for Civil Protection) which was held in Athens during November 2009. Information gathered and shown during this workshop is only in PowerPoint form so therefore insight of what was discussed actually and learnt by officials gathered is limited. Still the available data gives some insight about the subject, especially in terms of human right issues in this field are still in early stages.

According to the draft main topics of this workshop were:
- Survey of bioethics in urban search and rescue operations
- Study on bioethics in Technical and Operational issues
- Priorities in search and rescue operations
- Personal data of entrapped people
- Victims and dead people identification

The draft also offers a declaration that still has not changed that much during the past years:

"In general, human rights are at "risk" in case of a disaster. This is especially true for people with any kind of disability, such as mobility problems, sight or hearing difficulties and broadly for vulnerable groups, such as the elderly and children. However, the issue of human rights is missing in most of activities and discussions for coping with disasters"

5.5.5   Human Rights and Disaster Risk Reduction

"Human Rights and Disaster Risk Reduction" was a presentation kept by Demetrio Innocenti from UNISDR Europe (The United Nations Officer for Disaster Risk Reduction).

The presentation implies that recent humanitarian crises have raised new challenges in particular from the human rights point of view. The concept of human rights protection might be widely acknowledged as crucial part of the humanitarian strategies during the emergency and disaster situations, but the longer-term aspects linked to promotion and definition of the human rights based approach in disaster prevention and reduction is limited.

The presentation also gives some examples about human rights covered earlier in this document and how to solve issues or mitigate damage concerning them which are all from the point of view irrelevant to urban search and rescue. Still according to presentation during 2009 national authorities, international organisations and NGO's "were at loss as to how incorporate Human Rights Based Approach into response and, most of all, prevention". (Innocenti, 2009)

The presentation itself made conclusion that: "There is urgency to promote the definition of people-centered Human Rights Based Disaster Risk Reduction Strategies" and overall knowledge about Human Rights in disasters is in need of reinforcing. (Innocenti, 2009)

5.6   Ethical Principles on Disaster Risk Reduction and People's Resilience to Disasters

Ethical Principles on Disaster Risk Reduction and People's Resilience to Disasters is a document made for Council of Europe's request during 2009. The document concerns both natural and technological disasters and it is made to deal with direct victims of the disasters and the other parties involved, such as public civil defence organisations, humanitarian NGOs and so on. Considering that there are many parties involved there is need for common ethical principles when it comes to protection of persons in the event of disasters.

The document is made to involve all phases of disaster cycle: prior, during and after disaster. Ethical principles offered within document mostly concern individuals, but in some cases they may apply to corporate bodies. The document also points out that it was difficult to select which ethical principles should apply. All human rights might be absolute whether they are civil, political, economic, social or cultural. However the makers of the document decided to focus mainly on those that are considered to be in jeopardy more often during crisis or after and before it.

The aim of principles offered by this document is to strengthen the resilience of populations in event of disasters by giving ethical content to the risk reduction measures in all parts of

the disaster cycle. These ethical principles offered should help to better cope with problems during the crisis and document itself should help to the development of a "moral code" in the disaster relief field

5.6.1 The ethical principles applied during disasters

Goal of this thesis is to focus only on during the crisis issues such as evacuation and similar actions. Therefore including before and after phases of the disaster cycle is not relevant or necessary. However both parts of the cycle are covered briefly, but yet still have much to offer for people working in the field.

While the guidelines offered have little new to offer for this thesis there are few examples that have not yet been covered elsewhere and even come to conflict with the interviews conducted for this thesis. While these guidelines are not legally binding it shows that some ethical questions might not be fully discussed or even realised within the authorities' interviewed.

- Emergency assistance for the most vulnerable persons
    - "Allowing for local circumstances and without prejudice to the priority assistance to be given to all who have a chance of survival, priority for humanitarian assistance, first aid and any emergency evacuations go in priority to the most vulnerable people, such as pregnant women, children, people with disabilities, elderly people, the ill and the wounded." (Prieur et al. 2012)

- The Importance of rescue workers
    - "Rescue workers of any nationality continue to enjoy all their fundamental rights, even during emergency situations." (Prieur et al. 2012)
    - "Rescue workers have psychological assistance available during and after relief operations." (Prieur et al. 2012)
    - "States, international organisations and all institutions connected with humanitarian assistance in response to disasters take every possible measure to guarantee to rescue workers the necessary conditions for them to carry out their work properly, including the conditions needed to protect their dignity, safety, and physical and psychological integrity." (Prieur et al. 2012)

While sub-chapter "The importance of rescue workers" had more guidelines to offer than just examples above they were only ones taking human rights of the rescue workers in the account. Also guidelines concerning rescue workers themselves are rather rare so those offered

above could be used as a foundation for guidelines made mainly for rescue workers specifically.

5.7   Robotics and USAR

A part of the INACHUS-system is the snake-robot mechanism for locating trapped victims in the rubble. Various sources and studies regarding use of robots and USAR were researched to establish whether human rights were studied or considered and if there were any results. Some of the studies were concentrated on new models and technologies under development and some on human-robot interaction (HRI).

USAR was often seen as a challenging area for robotics and HRI due to factors such as changing and possibly hazardous operating environments, expectation of high functionality and robustness and requirement for the ability to operate for long periods of time when necessary and possibly on very infrequent time span. (Nourbaksh et al. 2005; Drury et al 2006) Same study indicates that gathering data and studying USAR events and the use of robots is very difficult as researchers rarely get to participate in the operations. Other challenges were the high costs and lack of expertise or interest from robotics experts and on the other hand human factor researcher's lack of access to robotic platforms. (Lewis et al. 2007)

One study (Larochelle et al. 2013) demonstrates that robots with autonomous capabilities are not easily trusted due lack of transparency and requirements for high reliability, therefore leading to human operators relying more on manual operation.

None of these studies consider directly human rights of the victims and the focus across the research field tends to be on the technical properties of the robot; the ability to navigate and operate in the target environment and the interface how they are operated.

5.8   Conclusion of the literature review

The present results from the literature review suggest that 'human rights in urban search and rescue' are not viewed as an major issue. There were some findings from publications deemed usable for the research. However the majority of the material did not include anything related to the human rights in urban search and rescue operations.

Human rights and issues related to them are mentioned pre- and post crisis and findings based upon the literature review may suggest that these parts of the crises are those where they matter or are mostly focused upon.

As the research questions were reflected on the reviewed literature we discovered the following findings.

1. What are the most relevant human rights regarding the USAR operations?
    a. Human rights most relevant to the USAR operations were discovered within chapter 4 'Human rights in USAR'.

2. How are the USAR operations regulated?
    a. Regulation(s) are country based and only few have implemented legislation based upon IDRL which can be viewed as something that covers some possible human rights issues within the USAR operations (Finland, The Netherlands, Norway and Bosnia & Herzegovina).

3. How do the regulations work in real life situations and how the human rights are realized?
    a. While some of the IDRL guidelines apply to the USAR part of the crisis no real life examples of these situations were found.

4. Are there causes for concern regarding human rights when considering the proposed technological solutions at hand?
    a. No mention within publications used for literature review.

Results showed that more research was needed, especially on real life situations and therefore we decided to conduct a review of the incident reports in Finland. We also decided that interviews with domestic professionals in the field could also provide more desired information for the research.

6   Incident reports

As stated above the real life oriented research questions required studying additional sources other than existing guidelines in order to determine whether human rights are applied in real life scenarios. Despite the attempts we did not gain access to the international incident databases, so it was decided to use the incident reports of the Finnish Safety Investigation Authority as they were highly detailed and provided sufficient information for the purpose.

Altogether 129 the incident reports found on the database between 2010-2015 were reviewed by reflecting each research question to each report on case-by-case basis. The reports were reviewed in Finnish, the original source language as not all the information was not available in English.

6.1 Review of incidents in Finland

In Finland each major accident is investigated by the Safety Investigation Authority. Their role is to "examine the course of events of the accident or incident, their causes and consequences, and the search and rescue actions as well as the actions taken by the authorities. The investigation specifically examines whether safety had adequately been taken into consideration in the activity leading up to the accident and in the planning, manufacture, construction and use of the equipment and structures that caused the accident or incident or at which the accident or incident was directed. The investigation also examines whether the management, supervision and inspection activity had been appropriately arranged and managed. If necessary, the investigation also examines possible defects in the provisions and orders regarding safety and the authorities. The goal of the investigation is to discover factors and background causes contributing to the accident or incident in addition to its immediate cause, which may be found in e.g. the organisation, the instructions or the working methods."

The end product of the investigation is an investigation report. The main purpose of the reports is to provide the relevant authorities and agencies with safety recommendations on the similar incidents could be prevented in the future. The investigations are not conducted to allocate legal liability.

These extremely detailed reports give a good insight how the major accidents dealt with on the practical level. Each accident report from the period of 2010 to 2015 was reviewed by reflecting the chosen research questions and concentrating on other possible issues regarding human rights. The reports were reviewed in Finnish as it is the main language they are conducted on, although each report has an English summary. Many of the incidents were minor scale but were used for comparative measure. 47 of the reports were classified aviation based incidents, 37 marine based, 20 rail traffic related and 25 incidents classified as 'other' including fire, collapsed buildings, drowning and natural disasters.

Typical structure of the investigation report begins describing the incident that took place, on very detailed and usually accurate way. Next the report determines the background and conditions that might have been causing or somehow otherwise related to the event. Then the incident is analysed in relation to the actions taken before and during the incident to determine possible faults and enhancement for the future. The report concludes with the analysis of the incident, establishing the causes that led to it. Final point and the main objective for the report is to provide a recommendation on how to avoid similar situations in the future.

Only one of the reports had indications for potential relation to any human rights issues. The report concerned an incident regarding a fire in a wooden apartment house in Turku, in which there were two casualties. The house had a notorious reputation and was known to be a habitat for multiple customers of social services. Also one of the casualties was of limited mobility. There were multiple notifications and recommendations discovered by the investigation, however regarding the monitoring of social services and fire safety regulations and authority co-operation.

There were no direct indications to the research questions to be found in the reports. Human rights in general were not given any apparent consideration, at least when considering the immediate rescue operation. There was only one case which had minor indications, but that concerned the pre-crisis situation and social services rather than the USAR operation itself. As the case did not answer any of the questions it was not counted as relevant on the table.

Research question	Cases reviewed	Relevance found
1. What are the most relevant human rights regarding the USAR operations?	129	0
2. How are the USAR operations regulated?	129	0
3. How do the regulations work in real life situations and how the human rights are realized?	129	0
4. Are there causes for concern regarding human rights when considering the proposed technological solutions at hand?	129	0

Table 1: Summary of reports

6.2   Conclusion of the incident reports

The review of the incident investigation reports uncovered that there were no indications of human rights issues to be found.Thus it can be argued that either human rights are not specifically considered important enough issue to concentrate on separately or they are considered as something that is taken for granted. This result gave a strong indication towards the final conclusion of this thesis that human rights are not currently given enough consideration.

7   Interviews

In addition to reviewing the literature sources and the quantitative analysis of the incident reports it was also decided that a more in-depth in sight on how the professionals in the everyday working life are operating and how the future rescue workers are trained.

The interviews were conducted with a set of questions directed at Finnish rescue professionals. It was recommended from several different sources to interview the operational leadership level actors and personnel of the Emergency Services College of Finland. The interview questions were sent out by e-mail to the rescue departments in the capital region in Finland and the Emergency Services College of Finland. Two interviews were answered by e-mail and one interview was conducted on telephone. It seemed apparent from the answers and the lack thereof, that human rights and rescue work are a difficult subject to handle. Questions can also be found in Appendix 1.

7.1   Questions

The questions were determined after establishing key issues regarding human rights and rescue operations in order to possibly find out what the current situation is and possibly what guidelines were used. The goal was essentially to establish to point-of-view of personal experiences of professionals working in the field. How are they operating and how are the decisions made?

7.1.1   Helsinki Rescue Department

The interviewee from Helsinki Rescue Department was a staff and fire chief Keijo Mökkönen.

1. Does the rescue department have specific guidelines on operating with different minority groups?

    Answer: There are no specific instructions, but the content of existing instructions has considered cultural differences when necessary. For example what are the procedures in first aid situations when a male paramedic is inspecting a female.

2. Are the elderly and people with disabilities paid specific attention or are there special instructions for them?

    Answer: Everybody is treated in an equal manner, while being as considerate as possible to limitations of different people (elderly, children…)

3. Are people with mental illnesses paid specific attention or are there special instructions for them?

    Answer: All of us also have a paramedic training in which these things are trained. Ergo no specific instructions are needed, since it is part of the training process.

4. If there are special instructions, are they based on some existing guidelines such as Red Cross, IASC or other similar organisation or are the instructions your own

   Answer: In general instruction and guidelines are our own, but obviously they are not conflicting with other similar guidelines.

5. What are the procedures during evacuation situations if a person does not want to be evacuated?

   Answer: The Rescue Act gives us the possibility to evacuate people in case of accident or danger. If the situation requires everybody will be evacuated from the danger area. When necessary police will provide assistance, because rescue personnel don't use force or any form of violence under circumstances. Nevertheless everyone will be evacuated, even if they do not want it.

6. Do you have experience in situations in which specific courses of actions were required when acting with minority group or its representative due to, for example cultural differences?

   Answer: Only during first-aid situations. Male paramedic and female patient, husband in the vicinity.

7. On what basis is the rescue work prioritized in situations where you have to make a decision on who gets rescued first while others will not necessarily make it?

   Answer: The rescue department will always act in an equal manner towards everybody. We will always try to rescue everyone, but when it is not possible the person in charge of the operation will decide on the priority. It is an unwritten rule that children and youth are rescued first and then others.

8. If in said situation as above a choice would have to be made between a so-called completely healthy person and a disabled person, would these factors influence the decision?

   Answer: This question cannot be stated as it is. It is dependent on the situation. As stated above the person in charge makes the decision. In general a healthy person is "easy" to rescue, when rescuing a disabled person may require a lot of personnel and technical equipment. For example a person who weighs 210 kg and is not able to move is lying in a bed in the sixth floor and the building in danger of collapsing. Then there is an able young man next door who can be rescued to a secure location with relative ease. Obviously we try to rescue both if it is possible in anyway.

9. Have there ever been ethical dilemmas when using a rescue dog?

Answer: I don't see how the use of a trained rescue dog could be ethically problematic. Naturally we will not endanger the health of the dogs during operations.

10. Are there ethical problems regarding the advancing location technology?

Answer: No if they are used with agreed set of rules and boundaries.

11. Are there ethical problems with the current technology in use?

Answer: Same as above.

12. If you have experience from international rescue operations, have you noticed any considerable differences regarding human rights?

Answer: I have been in Turkey during earthquake disaster leading a Finnish rescue team and did not notice any issues whatsoever. Everybody worked well together and gave their best effort. Accidents bring people together.

13. How should realization of human rights be developing in the future regarding rescue work?

Answer: The Helsinki city Rescue Department is equal in its treatment towards all human being who have faced accidents. Everyone will be rescued. Everyone will be treated. Everyone is treated the same way. Naturally there can always be improvement with integration issues as well as informing immigrants on Finnish ways, manners and laws. It also works the other way around. The authorities could also use more training in multi-cultural matters.

14. Free word: especially views regarding human rights in major disaster situations would be welcome

Answer: We at Helsinki Rescue Department do not see human beings as different but save everyone. So in my opinion human rights have never been an issue for us. Not in Finland neither in the international operations we have participated in (most earthquake areas). The main issue in my opinion is when people who have moved here do not trust our structural safety. It has caused situations in which some people have panicked and are on the verge of jumping out of windows and balconies, even though it would be perfectly safe to stay in their apartments and wait for actions and guidance of the rescue authority.

7.1.2   The Emergency Services College

Teachers from the Emergency Services College of Finland answered the questions in a collective manner, they could not give direct answers to all the questions gave some insight what is included in the training process. Matti Honkanen, a teacher answered the questions in a phone interview.

1. Does the rescue department have specific guidelines on operating with different minority groups?

    Answer: No specific instructions

2. Are the elderly and people with disabilities paid specific attention or are there special instructions for them?

    Answer: Elderly and disabled peoples "special conditions" are taken into consideration when building nursing homes and facilities in the construction phase with building regulations and rescue plans. These facilities are also supposed to train the rescue plan in action.

3. Are people with mental illnesses paid specific attention or are there special instructions for them?

    Answer: No specific instructions

4. If there are special instructions, are they based on some existing guidelines such as Red Cross, IASC or other similar organisation or are the instructions your own

    Answer: Own instructions.

5. What are the procedures during evacuation situations if a person does not want to be evacuated?

    Answer: Police provides official assistance when needed.

6. Do you have experience in situations in which specific courses of actions were required when acting with minority group or its representative due to, for example cultural differences?

    Answer: During a career of 18 and a half years in the field in operational and management level no such situations have occurred.

7. On what basis is the rescue work prioritized in situations where you have to make a decision on who gets rescued first while others will not necessarily make it?

   Answer: Everybody will be rescued, no one is prioritized over other. The situation determines how the operation proceeds.

8. If in said situation as above a choice would have to be made between a so-called completely healthy person and a disabled person, would these factors influence the decision?

   Answer: As above; no exceptions.

9. Have there ever been ethical dilemmas when using a rescue dog?

   Answer: No ethical problems.

10. Are there ethical problems regarding the advancing location technology?

    Answer: No ethical problems.

11. Are there ethical problems with the current technology in use?

    Answer: Same as above.

12. If you have experience from international rescue operations, have you noticed any considerable differences regarding human rights?

    Answer: No international experience.

13. How should realization of human rights be developing in the future regarding rescue work?

    Answer: Equal and consistent treatment towards everyone must be ensured.

14. Free word: especially views regarding human rights in major disaster situations would be welcome

    Answer: Same as above.

Another teacher Mari Lyyra told us that she doesn't have an answer to all of the questions but gave the following statement.

I can tell that students (emergency response centre operators, rescue workers, officers & petty officers) learn the basic human rights during administrative studies as well as the constitutional paragraph about the responsibility of the government to promote human rights. During administrative studies we have not really gone through examples regarding rescuing humans during operations or major accidents, but these could be themes for observation in the future. We have mostly pondered on the basic right such as domestic peace, freedom of movement etc. which may have to be "intervened". Respect of life, integrity etc. have been discussed, but they seem self-evident, so these kinds of questions as your for example disabled – non disabled has not been made.

Equality is dealt with relatively much, from the point-of-view of the constitution as well as specific laws, mostly they appear from the perspective of administrative judicial principles.

7.2   Conlusion of the interview

Although we only managed to gather three, they did offer some insight about the situation and topic within Finland on both operational and training level.

Based upon answers we were able to gather both Helsinki Rescue Department and the Emergency Service Collage have their own guidelines and instructions which at least in case of Helsinki Rescue Department "do not conflict with other similar guidelines". Neither of these organisations do not have any real of specific instructions or guidelines concerning any minorities such as disabled people, mentally ill and such. Still either of these organisations has not had any experiences in the past where situations would have required specific actions due to minority group or such excluding male paramedic handling a female patient.

Both of the organisations agree upon that rescue personnel do not use force or any other forms of violence under circumstances and when situations needs such procurements police will provide assistance. When it comes to prioritizing victims in the rescue operations decision is made in both organisations by the person responsible of the operation, in case of Helsinki Rescue Department children and youth are prioritized and in case of Emergency Service College: "everybody will be rescued and no one is prioritized over other" which was found as an alarming statement by us at least. For example in case of earthquake or building collapse is it rather vital to prioritize people with serious injuries or other immediate medical needs than those who are not in same condition.

When asked about would there be difference about the prioritization if it was decided between "healthy person" and disabled person there would be not, but in some scenarios rescuing disabled person might require more personnel or specific technical equipment. Concern-

ing location technology or technology which is currently in use there were no ethical problems as long its use is based upon agreed set of rules and boundaries.

8   Conclusions

What are the most relevant human rights regarding USAR operations and how are they regulated? As stated in the guidelines, local laws and regulations are the primary operational framework. It can be seen that as long as local law overcomes international agreements and people making the legal framework are not educated well enough about the importance of human rights it can be speculated that real progress will not happen. While there are NGO's and organisations or actors within the UN and EU trying to make progress on the subject local actors are still those responsible implementing them, and even though foundation is done on general level implementation is still lacking.

After a thorough review of the related material for the topic of this thesis and interviewing people operating in the field, it can be said that there are still much to do on practical level. Some statements from the interviews conflict with the analysed guidelines. This phenomenon shows that parties for which guidelines and instructions are aimed are either unwilling to implement new ways of thinking and acting or are lacking the resources to do so.

One example of conflicting statement could be "Everybody will be rescued, no one is prioritized over other". While reasoning behind such a statement can be justified, it also conflicts directly with principle such as "Allowing for local circumstances and without prejudice to the priority assistance to be given to all who have a chance of survival, priority for humanitarian assistance, first aid and any emergency evacuations go in priority to the most vulnerable people, such as pregnant women, children, people with disabilities, elderly people, the ill and the wounded.". Example guideline or in this case principle was made by EUR-OPA within "Ethical Principles on Disaster Risk Reduction and People's Resilience to Disasters" and is made by request of Council of Europe, therefore we conclude that the training offered to the people responsible of actual training may not be sufficient.

Human rights seem to be a somewhat delicate matter or something that simply has not been considered enough, due to the fact that getting the answers to interviews was quite difficult and when received some of them were indefinite, inaccurate. Are human rights per se considered a relevant factor in the rescue work? All the guidelines would suggest so.
The conclusion can be made that human rights are not specifically viewed as an important issue within rescue workers on operational level. While human rights do matter, one has to think which actually matters more, saving lives and leaving the human rights part of opera-

tion to those handling the disaster relief or actually pouring resources and focus on those is-sues even during the evacuation for example.

Can the advancing technology be seen as something that might endanger human rights such as privacy? Possibly, but in this situation the some rights must be prioritized over others and the most fundamental human right of them all is the right of life and attempting to protect that fundamental right under extraordinary circumstances all the available measures should be considered.

8.1   Suggestions

Based upon information gathered for the thesis and the people interviewed some suggestions can be made concerning the phenomenon on the national and the international level.

Regulations and agreements need to be made on more precise level concerning USAR opera-tions. Globally binding agreements and frameworks would be optimal, but alas extremely hard to implement. On European scale the objective may be more realistic as the EU may be able implement directives on its member states. Naturally these agreements should respect local laws and customs. Therefore planning and implementation would still take years, even though steps have already been taken to this direction ,such as the work done by EUR-OPA and Council of Europe has done.

Mapping out major issues that might arise during USAR operation for example with disabled people should be priority. After discovering the relevant issues and applying those to the training of rescue operators should ensure that professionals in the field have at least some experience and knowledge of how to handle certain situations. This step would require more local point of view as there may be cultural differences even on European scale.

Still first and foremost promoting these issues and bringing knowledge to those making the decisions is most the important step. To get the initiative for steps above it is necessary to get these issues brought out to the decision makers.

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Figures

Figure 1: INSARAG Organisational Structure (INSARAG Guidelines Volume I – Policy, Page 7)
Figure 2: INSARAG Decision-making Process (INSARAG Guidelines Volume I – Policy,

Appendix 1: Interview questions

1. Does the rescue department have specific guidelines on operating with different minority groups?

2. Are the elderly and people with disabilities paid specific attention or are there special instructions for them?

3. Are people with mental illnesses paid specific attention or are there special instructions for them?

4. If there are special instructions, are they based on some existing guidelines such as Red Cross, IASC or other similar organisation or are the instructions your own?

5. What are the procedures during evacuation situations if a person does not want to be evacuated?

6. Do you have experience in situations in which specific courses of actions were required when acting with minority group or its representative due to, for example cultural differences?

7. On what basis is the rescue work prioritized in situations where you have to make a decision on who gets rescued first while others will not necessarily make it?

8. If in said situation as above a choice would have to be made between a so-called completely healthy person and a disabled person, would these factors influence the decision?

9. Have there ever been ethical dilemmas when using a rescue dog?

10. Are there ethical problems regarding the advancing location technology?

11. Are there ethical problems with the current technology in use?

12. If you have experience from international rescue operations, have you noticed any considerable differences regarding human rights?

13. How should realization of human rights be developing in the future regarding rescue work?

14. Free word: especially views regarding human rights in major disaster situations would be welcome.